

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 UNITED STATES OF AMERICA,)

5 Plaintiff,)

6 vs.)

7 ROSHERRAL BEVERLY,)

8 Defendant.)
9

Case No.: 2:15-cr-00102-KJD-NJK

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

10 **FINDINGS OF FACT**

11 Based on the Stipulation to Continue Defendant's Initial Appearance, and good cause
12 appearing therefore, the Court finds that:

13 1. That counsel for the Defendant will be out of the jurisdiction from April 15, 2015
14 through April 19, 2015.

15 2. The parties agree to the continuance sought herein.

16 3. The Defendants are not incarcerated and does not object to the continuance in this
17 matter.

18 4. Additionally, denial of this request for continuance could result in a miscarriage of
19 justice.

20 5. The additional time requested by this Stipulation is excludable in computing the
21 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,
22 United States Code, Section 3161(h)(7)(A) considering the factors under Title 18, United States
23 Code, Sections 3161(h)(7)(B)(i) and (ii).

24 6. There have been no previous requests for continuance of the initial appearance
25 granted herein.

26 For all of the above stated reasons, the ends of justice would be best served by a
27 continuance of the initial appearance herein requested.
28

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the Defendants in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice.

The continuance sought herein is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A) considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)(i) and (ii).

ORDER

IT IS THEREFORE ORDERED that the initial appearance presently set for April 16, 2015, at 3:00 p.m. is hereby vacated, and continued to the 23rd day of April, 2015 at 3:00 ~~a.m.~~/p.m., in Courtroom No. 3C before Magistrate Judge Hoffman.

DATED this 15th day of April, 2015.



United States Magistrate Judge